

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS (LULAC), et al.,

Plaintiffs,

v.

GREG ABBOTT, et al.,

Defendants.

Civil Action No. 3:21-cv-259
(DCG-JES-JVB)
(consolidated cases)

JOINT MOTION REGARDING TRIAL SCHEDULE

The United States, Private Plaintiffs and Plaintiff-Intervenors (collectively, “Plaintiffs”), and State Defendants respectfully request guidance, to the extent possible, regarding dates under consideration for trial in this case.¹

Guidance on when a trial may—or will not—occur will allow the parties to collaborate on a reasonable schedule for reopened discovery. The challenged districts have now been in effect through a complete election cycle, and new data are available concerning the 2022 election cycle, as are updated data from the U.S. Census Bureau. The parties have conferred about the timing and scope of reopened discovery but have reached an impasse because the schedule and extent of any such discovery necessarily depends on the time remaining before trial, as well as other factors. Accordingly, the parties believe additional information concerning the trial calendar will assist them in collaborating on a reasonable discovery schedule.

¹ Pursuant to the Court’s December 5, 2022 Notice and Order, ECF No. 665, the parties notified the Court of their availability for trial on Congressional and State Board of Education claims during specified weeks in February, March, April, and May 2023. *See* State Defs.’ Advisory, ECF No. 679; Pls.’ Joint Notice, ECF No. 680.

Upon receipt of further guidance or the setting of trial, the parties have agreed to meet and confer regarding a schedule for remaining disclosures, the scope of reopened discovery, and any discovery issues remaining after pending discovery motions are resolved. *See* Fed. R. Civ. P. 26(e); *see also* Compilation of Pending Discovery Motions, ECF No. 680-1; *cf.* Scheduling Order at 5, ECF No. 96 (establishing procedure for supplementation concerning the November 2022 election after a September 2022 trial).

The parties are available for a status conference regarding the matters raised in the instant motion, should the Court determine one to be beneficial.

Respectfully Submitted,

Dated: February 10, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2023, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will send notification of this filing to counsel of record.

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